

In the Claims

1. (Previously presented) A method for providing point-to-multipoint services in a radio communication system, the method comprising:

performing Internet protocol header compression to form header compressed data; and

transmitting the header compressed data in at least one of a point-to-point manner and a point-to-multipoint manner depending upon a threshold value, to one or more users of the radio communication system,

wherein the Internet protocol header compression is performed in a packet data convergence protocol (PDCP) entity located within a serving radio network controller (SRNC) in case of the point-to-point manner and within a controlling radio network controller (CRNC) in case of the point-to-multipoint manner,

wherein the point-to-multipoint service is a multimedia broadcast/multicast service (MBMS) and one PDCP entity exists in the CRNC for each MBMS service in case of the point-to-multipoint manner.

2. (Original) The method of claim 1, wherein the point-to-point manner is employed if a total number of users within a cell is below the threshold value.

3. (Original) The method of claim 1, wherein the point-to-multipoint manner is employed if a total number of users within a cell is at or above the threshold value.

4. (Previously presented) The method of claim 1, wherein the Internet protocol header compression is respectively performed for each type of MBMS service to be provided.

5. (Original) The method of claim 1, wherein the point-to-point manner is transmitting data from a single sending point to a single receiving point.



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/666,647

09/19/2003

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2101-3053

8504

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7590

07/21/2008

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EXAMINER

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ART UNIT

PAPER NUMBER

2152

MAIL DATE

DELIVERY MODE

07/21/2008

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Advisory Action</b> <b>Before the Filing of an Appeal Brief</b>	<b>Application No.</b> 10/666,647	<b>Applicant(s)</b> LEE ET AL.	
	<b>Examiner</b> HIEU T. HOANG	<b>Art Unit</b> 2152	

**--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

THE REPLY FILED 14 July 2008 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☒ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

- a) ☒ The period for reply expires 3 months from the mailing date of the final rejection.
- b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.

Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### NOTICE OF APPEAL

2. ☐ The Notice of Appeal was filed on \_\_\_\_\_. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

#### AMENDMENTS

3. ☐ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because
- (a) ☐ They raise new issues that would require further consideration and/or search (see NOTE below);
- (b) ☐ They raise the issue of new matter (see NOTE below);
- (c) ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
- (d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: \_\_\_\_\_. (See 37 CFR 1.116 and 41.33(a)).

4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).
5. ☐ Applicant's reply has overcome the following rejection(s): \_\_\_\_\_.
6. ☐ Newly proposed or amended claim(s) \_\_\_\_\_ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
7. ☒ For purposes of appeal, the proposed amendment(s): a) ☐ will not be entered, or b) ☒ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.
- The status of the claim(s) is (or will be) as follows:
- Claim(s) allowed: \_\_\_\_\_.
- Claim(s) objected to: \_\_\_\_\_.
- Claim(s) rejected: 1-6, 8-10, 12, 13, 16, 18-25, 28, 30, 32, 34, 35, 39, 41, 42, 51-56, 71, 72, 74 and 75.
- Claim(s) withdrawn from consideration: \_\_\_\_\_.

#### AFFIDAVIT OR OTHER EVIDENCE

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).
9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing a good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).
10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

#### REQUEST FOR RECONSIDERATION/OTHER

11. ☐ The request for reconsideration has been considered but does NOT place the application in condition for allowance because: \_\_\_\_\_.
12. ☐ Note the attached Information *Disclosure Statement*(s). (PTO/SB/08) Paper No(s). \_\_\_\_\_
13. ☐ Other: \_\_\_\_\_.

/Bunjob Jaroenchonwanit/  
 Supervisory Patent Examiner, Art Unit 2152

Acknowledgement is made of a claim for foreign priority under 35 U.S.C §119(a)-(d) or (f). All certified copies of the priority documents have been received.

#### Response to arguments

In summary, applicant argues that the prior art does not teach "the Internet protocol header compression is performed in a packet data convergence protocol (PDCP) entity located within a serving radio network controller (SRNC) in case of a point-to-point manner and within a controlling radio network controller (CRNC) in case of a point-to-multipoint manner" and "the point-to-multipoint service is a multimedia broadcast/multicast service (MBMS) and one PDCP entity exists in the CRNC for each MBMS service in case of the point-to-multipoint manner" or similar limitations. The examiner respectfully disagrees.

In response to applicant's arguments against the references individually, one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.*, 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986).

Applicant admitted prior art (AAPA) explicitly discloses that a header compression module PDCP exists in each SRNC for unicast or point-to-point transmission (fig. 5, prior art) and a single CRNC controlling multiple SRNCs.

Leung discloses a single header compression module (RHCP) in a packet data service node PDSN ([0068], fig. 2) for providing multicast/broadcast service, suggesting using a single header compression module for a CRNC for multicast/broadcasting or point-to-multipoint service.

Therefore, it would have been obvious for one skilled in the art at the time of the invention to combine the teachings of Leung with the teachings of AAPA to substitute a ROHC with a PDCP and a PDSN with a CRNC to apply Leung's teachings to the UMTS mobile environment of AAPA and also to conserve transmission resources by using individual dedicated channels rather than using the broadcast channel (or vice versa) (Leung [0115] lines 8-14).

Further arguments have been fully considered but found unpersuasive; and previous ground of rejection still holds.